

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, MAY 16, 2006, 7:00 P.M.**

The City of Leon Valley, Texas, met in Regular Meeting on the 16th day of May 2006 at 7:00 p.m., at the Leon Valley City Council Chambers, for the purpose of the following business, to-wit:

Call to Order and Pledge of Allegiance.

Mayor Riley called the meeting to order and asked that the minutes reflect that the following members of Council were present: Lange, Semmelmann, and Dean. She announced that Councilmembers Maloy and Rangel had excused absences.

City Manager Cortes, City Secretary Feutz, Fire Chief Irwin, Assistant Fire Chief Lee, Police Chief Oakes, Assistant Public Works Director Steele, City Accountant Wallace, Community Development Director Smith, Economic Development Liaison Caldera, and Human Resources Officer Schendel were also present.

Mayor Riley asked Kevin Burke, to lead the Pledge of Allegiance.

Consider Approval of Minutes of the Regular City Council Meeting of May 2, 2006.

A motion was made by Councilmember Lange, seconded by Councilmember Dean, to approve the minutes of the Regular City Council Meeting of May 2, 2006. Upon vote, the motion carried.

Proclamation Declaring the Week of May 15, 2006 as “National Police Week”.

Mayor Riley proclaimed the week of May 15, 2006 as “National Police Week” and urged all citizens to express their appreciation to the men and women who risk their lives to guard and protect others. She presented the proclamation to Police Chief Randy Oakes.

New Business.

Citizens to Be Heard and Timing for Objections to Consent Agenda.

Mayor Riley asked if any members of Council wished for any items on the Consent Agenda to be removed for discussion. Hearing no one, Mayor Riley asked if anyone in the audience wished to address Council. Hearing no one, Mayor Riley called for a motion on the Consent Agenda items.

Consent Agenda.

Consider M&C # 05-03-06 - Request by Northside Independent School District for Final Acceptance of Public Improvements of the Leon Valley Addition - Grissom Road Annex Subdivision, Being Lot 61, Block 3, CB 5784, Located at 5747 Grissom Road.
Staff recommends approval.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, MAY 16, 2006, 7:00 P.M.**

Consider M&C # 05-04-06 - Request for a Budget Adjustment for Court Technology Fund to Purchase an Onboard Video Camera for the Warrant Officer's Vehicle. The purchase will be made from Mobile-Vision, Inc. at a cost of \$3,744. Staff recommends approval.

Consider M&C # 05-05-06 - Request for a Budget Adjustment for the Police Forfeiture Trust Fund for Replacement of the Police Department Telephone System. The replacement purchase will be made from Qualtel Communications, who submitted the lowest quote of \$7,500. Staff recommends approval.

A motion was made by Councilmember Semmelmann, seconded by Councilmember Lange, to approve the Consent Agenda items as listed on the agenda. Upon vote, the motion carried.

Regular Agenda

Consider M&C # 05-06-06 with Attached Ordinance - Request by Northside Independent School District to Abandon a .324 Acre Portion of Land in the 6900 Block of Shadow Mist Drive, Previously Dedicated by the School District as Right-of-Way.

Community Development Director Melinda Smith addressed Council stating that the Northside Independent School District (NISD) had requested that the City abandon a portion of land that was dedicated to the City as right-of-way during the platting of the Grissom Office Annex Subdivision. She further stated that NISD would like to incorporate the property into their landscaping and irrigation plans for the new elementary school, but per State law, the school must own anything that they must give regular attention and maintenance. She explained that staff had no objections to the request and that the City would retain a blanket utility easement for water and sewer mains and a storm drain which crossed the property. She stated that there was no monetary exchange for the property and no fees were required.

After Council discussion, a motion was made by Councilmember Semmelmann, seconded by Councilmember Dean, to approve M&C # 05-06-06 with its attached ordinance. Upon vote, the motion carried.

Consider M&C # 05-07-06 - Public Hearing to Consider Fence Variance Case #06-003- A Request by Mario Duarte, Agent for the Applicant and Property Owner, Ben Rios, for a Three (3) Foot Variance to Construct a Nine (9) Foot Fence to the Rear of the Shopping Center at 5720 Evers Road, a B-2 (Retail) Zoned Lot.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, MAY 16, 2006, 7:00 P.M.**

Community Development Director Smith addressed Council stating that the variance request was for an additional three feet (3') to the existing Code requirements which would allow the property owner to construct a nine-foot (9') fence to the rear of the shopping center at 5720 Evers Road, a B-2 Retail-zoned lot. She stated that the proposed fence would be eight feet (8') in height with an added one foot (1') barbed wire top. She noted that the rear fence is dilapidated and that adjoining residents climb the fence as a cut-through to Evers Road further abusing the structure. She further stated that staff had no objections to the requested variance. Ms. Smith informed Council that Kevin Burke, representing the applicant, was present. Mr. Burke explained that the fence request was necessary to deter vandalism occurring at the business site. Councilmember Dean asked if there were any police reports for the shopping center site, but none were available from the applicant. Council expressed their concern regarding the proposed use of one-foot high barbed wire atop the applicant's proposed eight-foot chain link fence.

Mayor Riley opened the public hearing asking if anyone from the audience wished to comment on the case. Hearing no one, Mayor Riley closed the public hearing at 7:17 p.m.

After Council discussion, a motion was made by Councilmember Lange, seconded by Councilmember Semmelmann, to approve the fence variance request as presented. Councilmembers again expressed their dislike of the barbed wire top portion of the fence. Upon vote, the motion carried by a vote of two to one.

Consider M&C # 05-08-06 - Depository Services Contract with Frost National Bank.

City Accountant Wallace addressed Council stating that the current contract for depository services with Wells Fargo Bank was to expire on September 30, 2006. She noted that the City sought other applications for the bank services and received three responses. She stated that after an analysis of the application for interest paid on checking, earning credit rate client analysis fees and other considerations, it appeared that Frost Bank would provide higher interest on checking, higher credit earnings rates, and lowest client analysis fees.

Following Council discussion, a motion was made by Councilmember Dean, seconded by Councilmember Semmelmann, to approve the contract for depository services with Frost National Bank as presented. Upon vote, the motion carried.

Consider M&C # 05-09-06 - An Interlocal Agreement with the San Antonio Water System (SAWS) for the Purpose of Acquiring Water Pumping Rights.

The Assistant to the Public Works Director, Fred Stolz, addressed Council stating that the proposed agreement would allow the San Antonio Water System (SAWS) to serve as the agent for the City of Leon Valley in the purchase or lease of water withdrawal rights. He stated that the City could continue their participation with the Regional Water Resources

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, MAY 16, 2006, 7:00 P.M.**

Development Group (RWRDG), but due to administrative constraints as a member of that Group, the City has been unable to obtain the needed additional water rights it had requested. Mr. Stolz reviewed a cost analysis of purchasing water rights. He explained that the City still needed to purchase 618 acre-feet of water rights and either lease or purchase another 199 acre-feet of water rights.

City Manager Cortes informed Council that SAWS voted to withdraw its support from RWRDG. He stated that he felt it was better for the City of Leon Valley to work with SAWS who have less restrictive requirements than RWRDG and who will give the City more options.

Following discussion, a motion was made by Councilmember Lange, seconded by Councilmember Dean, to approve the interlocal agreement between the City and the San Antonio Water System for the purpose of acquiring water pumping rights.

City Manager Cortes assured Council that staff would return for Council's approval if the price for the purchase of water rose to more than \$2800 per acre-foot. Members of Council discussed the advantages of current lower interest rates for bonds to purchase water rights. Mr. Cortes stated that staff has asked SAWS to evaluate the City's water system for any need for improvements in the City's pumping and water storage capabilities.

Following the discussion, Council voted on the motion on the floor to authorize the City Manager to enter into an interlocal agreement with the San Antonio Water System (SAWS) for the purchase of 618 acre-feet of water rights and the lease or purchase of another 199 acre-feet. Upon vote, the motion carried.

Consider M&C #05-10-06 - An Interlocal Agreement for the Furnishing, Installing and Maintenance of Traffic Signal Preemption Equipment.

Assistant Fire Chief Robert Lee addressed Council stating that the City was receiving partial funding from VIA's 2006 Suburban Transit Enhancement Program (STEP) in the amount of \$82,398 for traffic preemption equipment to be installed at ten intersections in Leon Valley. He explained that the total cost of the system was \$93,800 with the City contributing \$11,402 from the General Fund Reserves. Chief Lee reminded Council that the preemption system would give emergency vehicles priority through intersections when traveling or transporting in an emergency mode. He informed Council that because nine of the intersections, which were designated to receive the preemption devices, are controlled by traffic signals owned by the Texas Department of Transportation (TXDOT), an interlocal agreement with the State was necessary. He informed Council that the agreement had been reviewed by staff and the City Attorney and recommended approval of the agreement.

Assistant Chief Lee named the intersections designated for the ten preemption devices: Reindeer Trail/Bandera Road, Huebner/Bandera Roads, Evers/Huebner Roads,

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, MAY 16, 2006, 7:00 P.M.**

Poss/Bandera Roads, Grissom/Bandera Roads, El Verde/Bandera Roads, Seneca Drive/Bandera Road, Wurzbach/Bandera Roads, Loop 410/Bandera Road, and Timco West/Bandera Road. Councilmember Dean expressed his concern that the Eckhert /Bandera Road intersection had not been selected for a preemption device with the location of John Marshall High School on Eckhert Road. City Manager Cortes stated that they would look at the intersection, but because the intersection was part of San Antonio, placing one of the devices there may have some additional challenges.

Following Council discussion, a motion was made by Councilmember Semmelmann, seconded by Councilmember Lange, to approve the proposed agreement and authorize the City Manager to execute the agreement on behalf of the City. Upon vote, the motion carried.

Consider M&C # 05-11-06 - Request for a General Fund Budget Adjustment to Allow for Purchase of Traffic Preemption Equipment.

City Manager Cortes explained that the City's portion of the project cost was \$11,402 and a budget adjustment was necessary to move forward with the project.

A motion was made by Councilmember Lange, seconded by Councilmember Dean, to approve the requested General Fund Budget Adjustment to allow for the purchase of traffic preemption equipment. Upon vote, the motion carried.

City Manager Report.

City Manager Cortes asked that the City Accountant present the April 2006 Financial Statement. Ms. Wallace presented an overview of budgeted versus actual year-to-date revenues and expenditures for the City. She explained that higher interest rates had given the City more interest than was forecasted for this period and that some capital improvement projects, such as the slurry seal program, had not been purchased as of the end of April.

City Manager Cortes announced that the Economic Development Liaison, Crystal Caldera, had delivered a copy of the demographics and business maps to each Council place. Ms. Caldera explained that the City information sheets would be distributed to interested businesses at the International Council of Shopping Centers Convention.

City Manager Cortes announced that the City of Helotes had voted approval of the proposed contact with the City of Leon Valley for dispatcher services, and that he was still waiting to hear from the City of Grey Forest.

He announced that the AARP had provided 209 interviews for tax assistance at the Conference Center and that he had received letters of appreciation for service by our firefighters.

**REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY,
TEXAS, MAY 16, 2006, 7:00 P.M.**

Citizens to be Heard.

Mayor Riley asked if anyone wished to address Council; seeing no one, she asked members of Council if they had any announcements.

Announcements.

Councilmember Semmelmann announced that he had received calls from citizens regarding the effects in the City following a heavy storm and flooding the week before. He stated that he had discovered that the Community Development Department can request an exception to policy for an emergency where storms have damaged electrical power supplies. He expressed his concern that some individuals were dumping flood debris back into the swollen creeks and that the additional creek debris could cause problems further downstream. He asked everyone be mindful about parking regulations, particularly large trailers with barbecue grills attached or boats on trailers parked on the streets. He stated that Council will have to decide when they are going to meet the first Tuesday in July as it will occur on July 4th, a holiday.

Councilmember Semmelmann complimented staff for the job done to clean the park of debris following the preceding week's storms.

City Secretary Feutz reported that another successful election was finished with satisfactory results from the iVotronic voting equipment on Election Day. She thanked Council and the community for their patience during the changes from paper ballots to the electronic system and announced that canvassing of the election results would take place on Wednesday, May 17, 2006 at 3:30 p.m.

Mayor Riley thanked Ms. Caldera for her work on the City flyer. She invited everyone to attend the Leon Valley Fire Department's Health and Safety Day to be held on Saturday, May 20, 2006 at the Conference Center area. Mayor Riley thanked everyone for their concern and best wishes for her husband, who had been ill.

Adjourn.

Mayor Riley asked if there was any other business, hearing no one, she adjourned the meeting at 8:20 p.m.

Chris Riley
Mayor

ATTEST:
Marie Feutz, City Secretary

Minutes Approved at Regular City Council Meeting on June 6, 2006